

### **REMARKS**

Applicant respectfully request reconsideration of the present Application. Claims 18, 29, and 38 are amended herein. Claims 18-26 and 29-38 are in condition for allowance. Reconsideration of the present application in view of the following remarks and above amendments is respectfully requested.

#### **Substance of Interview**

Applicant thanks examiner Hailu for granting the personal interview on 17 June 2008 and for considering the proposed amendments to independent claims 18, 29, and 38 and the arguments regarding the deficiencies of the prior art, including Mullen and Ghannam. The examiner contended that production management, management, and storing of network data in a data warehouse, as described in Mullen and Ghannam, anticipates the elements of independent claims 18, 29, and 38. Applicant's representative respectfully disagreed because user interaction during the archiving of client management by the client management tool for creating the archive file of client management data as expressly claimed in independent claims 18, 29, and 38 is not described by the Mullen or Ghannam. The examiner stated after a formal response is filed, further consideration is required to determine whether the amended claims are allowable over the prior art.

#### **Rejections based on 35 U.S.C. § 102(e)**

##### **A.) Applicable Authority**

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdeggal Brothers v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed.

Cir.1987). “The identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir.1989). *See also*, MPEP § 2131.

B.) Anticipation Rejection Based on US Patent No 7,003,560 (“Mullen”).

Claims 18, 29, and 38 stand rejected under 35 U.S.C. §102(e) as being anticipated by Mullen. Applicant respectfully traverses the anticipation rejection of claims 18, 29, and 38 because Mullen fails to describe all elements of amended independent claims 18, 29, and 38.

Amended independent claim 18 recites a method in a computer system having a graphical user interface including a display and a user interface selection device. The method is for archiving within a client management tool that collects measurements associated with a network and client devices on the network. The client management tool performs both a client management function and an archiving function based on the collected measurements. The client management tool receives an entry selection indicative of a user selection to archive client management data. The client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements collected by the client management tool. In turn, the client management tool obtains a selection of a set of client management data and creates an archive file having the selected set of client management data.

It is respectfully submitted that the cited prior art, including Mullen, fails to describe, among other things, *receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements collected by the client management tool; and creating, within the client*

*management tool, an archive file having the selected set of client management data, as recited in amended independent claim 18.*

The Office relies upon Mullen, at FIG. 8, col. 6, ll. 11-24; col. 11, ll. 43-67; col. 32, ll. 30-65; col. 33, ll. 1-30; and col. 40, ll. 40-50, to anticipate the invention of amended independent claim 18. The cited portions of Mullen describe a computing system configured with a capacity planner, an archiving tool, and a performance manager. Mullen further describes archiving files selected by the user. Mullen fails to describe, among other things, archiving client management data corresponding to measurements collected by a client management tool.

Unlike Mullen, the invention of amended independent claim 18, requires among other things, receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements collected by the client management tool; and creating, within the client management tool, an archive file having the selected set of client management data. Mullen fails to expressly or inherently describe all elements of the invention of amended independent claim 18. Accordingly, for at least the above reasons, Applicant respectfully requests withdrawal of the anticipation rejection and allowance of amended independent claim 18.

Amended independent claim 29 recites one or more computer storage media having computer-executable instructions for performing a method of archiving within a client management tool that performs both a client management function and an archiving function. The method includes receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data

comprises at least one of capacity planning data or performance monitoring data corresponding to measurements for a network and client devices on the network collected by the client management tool. In turn, the client management tool obtains a selection of a set of client management data and creates an archive file having the selected set of client management data.

It is respectfully submitted that the cited prior art, including Mullen, fails to describe, among other things, *receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements for a network and client devices on the network collected by the client management tool; and creating, within the client management tool, an archive file having the selected set of client management data*, as recited in amended independent claim 29.

As discussed above, the cited portions of Mullen describe a computing system configured with a capacity planner, an archiving tool, and a performance manager. Mullen further describes archiving files selected by the user. Mullen fails to describe, among other things, archiving client management data corresponding to measurements collected by a client management tool.

Unlike Mullen, the invention of amended independent claim 29, requires among other things, receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements collected by the client management tool; and creating, within the client management tool, an archive file having the selected set of client management data. Mullen fails to expressly or

inherently describe all elements of the invention of amended independent claim 29. Accordingly, for at least the above reasons, Applicant respectfully requests withdrawal of the anticipation rejection and allowance of amended independent claim 29.

Amended independent claim 38 recites a computer system having a processor, a memory and an operating environment, the computer system operable to execute a method of archiving within a client management tool that performs both a client management function and an archiving function. The method includes receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements for a network and client devices on the network collected by the client management tool. In turn, the client management tool obtains a selection of a set of client management data and creates an archive file having the selected set of client management data.

It is respectfully submitted that the cited prior art, including Mullen, fails to describe, among other things, *receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements for a network and client devices on the network collected by the client management tool; and creating, within the client management tool, an archive file having the selected set of client management data*, as recited in amended independent claim 38.

As discussed above, the cited portions of Mullen describe a computing system configured with a capacity planner, an archiving tool, and a performance manager. Mullen

further describes archiving files selected by the user. Mullen fails to describe, among other things, archiving client management data corresponding to measurements collected by a client management tool.

Unlike Mullen, the invention of amended independent claim 38, requires among other things, receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements collected by the client management tool; and creating, within the client management tool, an archive file having the selected set of client management data. Mullen fails to expressly or inherently describe all elements of the invention of amended independent claim 38. Accordingly, for at least the above reasons, Applicant respectfully requests withdrawal of the anticipation rejection and allowance of amended independent claim 38.

C.) Anticipation Rejection Based on US Patent No 6,651,062 ("Ghannam").

Claims 18-26 and 29-38 stand rejected under 35 U.S.C. §102(e) as being anticipated by Ghannam. Applicant respectfully traverses the anticipation rejection of claims 18-26 and 29-38 because Ghannam fails to describe all elements of amended independent claims 18, 29, and 38.

Amended independent claim 18 recites a method in a computer system having a graphical user interface including a display and a user interface selection device. The method is for archiving within a client management tool that collects measurements associated with a network and client devices on the network. The client management tool performs both a client management function and an archiving function based on the collected measurements. The

client management tool receives an entry selection indicative of a user selection to archive client management data. The client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements collected by the client management tool. In turn, the client management tool obtains a selection of a set of client management data and creates an archive file having the selected set of client management data.

It is respectfully submitted that the cited prior art, including Ghannam, fails to describe, among other things, *receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements collected by the client management tool; and creating, within the client management tool, an archive file having the selected set of client management data*, as recited in amended independent claim 18.

The Office relies upon Ghannam, at FIG. 8, col. 6, ll. 41-49; col. 25, ll. 39-61; and FIGs. 9-14, to anticipate the invention of amended independent claim 18. The cited portions of Ghannam describes a computing system configured to import collected data into a data warehouse. Ghannam further describe managing data transfer via policies configured in a graphical user interface. Ghannam fails to describe, among other things, archiving client management data corresponding to measurements collected by a client management tool.

Unlike Ghannam, the invention of amended independent claim 18, requires among other things, receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding

to measurements collected by the client management tool; and creating, within the client management tool, an archive file having the selected set of client management data. Ghannam fails to expressly or inherently describe all elements of the invention of amended independent claim 18. Accordingly, for at least the above reasons, Applicant respectfully requests withdrawal of the anticipation rejection and allowance of amended independent claim 18.

Dependent claims 19-26 further define novel features of the invention of amended independent claim 18 and depend, directly or indirectly, from amended independent claim 18. Accordingly, for at least the reasons set forth above with respect to amended independent claim 18, dependent claims 19-26 are believed to be in condition for allowance by virtue of their dependency. See 37 C.F.R. § 1.75(c). As such, withdrawal of the 35 U.S.C. §102(e) rejection and allowance of dependent claims 19-26 are respectfully requested.

Amended independent claim 29 recites one or more computer storage media having computer-executable instructions for performing a method of archiving within a client management tool that performs both a client management function and an archiving function. The method includes receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements for a network and client devices on the network collected by the client management tool. In turn, the client management tool obtains a selection of a set of client management data and creates an archive file having the selected set of client management data.

It is respectfully submitted that the cited prior art, including Ghannam, fails to describe, among other things, *receiving an entry selection indicative of a user selection, at the*



*client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements for a network and client devices on the network collected by the client management tool; and creating, within the client management tool, an archive file having the selected set of client management data, as recited in amended independent claim 29.*

As discussed above, the cited portions of Ghannam describe a computing system configured to import collected data into a data warehouse. Ghannam further describes managing data transfer via policies configured in a graphical user interface. Ghannam fails to describe, among other things, archiving client management data corresponding to measurements collected by a client management tool.

Unlike Ghannam, the invention of amended independent claim 29, requires among other things, receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements collected by the client management tool; and creating, within the client management tool, an archive file having the selected set of client management data. Ghannam fails to expressly or inherently describe all elements of the invention of amended independent claim 29. Accordingly, for at least the above reasons, Applicant respectfully requests withdrawal of the anticipation rejection and allowance of amended independent claim 29.

Dependent claims 29-37 further define novel features of the invention of amended independent claim 28 and depend, directly or indirectly, from amended independent claim 28. Accordingly, for at least the reasons set forth above with respect to amended independent claim

28, dependent claims 29-37 are believed to be in condition for allowance by virtue of their dependency. See 37 C.F.R. § 1.75(c). As such, withdrawal of the 35 U.S.C. §102(e) rejection and allowance of dependent claims 29-37 are respectfully requested.

Amended independent claim 38 recites a computer system having a processor, a memory and an operating environment, the computer system operable to execute a method of archiving within a client management tool that performs both a client management function and an archiving function. The method includes receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements for a network and client devices on the network collected by the client management tool. In turn, the client management tool obtains a selection of a set of client management data and creates an archive file having the selected set of client management data.

It is respectfully submitted that the cited prior art, including Ghannam, fails to describe, among other things, *receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements for a network and client devices on the network collected by the client management tool; and creating, within the client management tool, an archive file having the selected set of client management data*, as recited in amended independent claim 38.

As discussed above, the cited portions of Ghannam describe a computing system configured to import collected data into a data warehouse. Ghannam further describes managing

data transfer via policies configured in a graphical user interface. Ghannam fails to describe, among other things, archiving client management data corresponding to measurements collected by a client management tool.

Unlike Ghannam, the invention of amended independent claim 38, requires among other things, receiving an entry selection indicative of a user selection, at the client management tool, to archive client management data, wherein the client management data comprises at least one of capacity planning data or performance monitoring data corresponding to measurements collected by the client management tool; and creating, within the client management tool, an archive file having the selected set of client management data. Ghannam fails to expressly or inherently describe all elements of the invention of amended independent claim 38. Accordingly, for at least the above reasons, Applicant respectfully requests withdrawal of the anticipation rejection and allowance of amended independent claim 38.

### **CONCLUSION**

For at least the reasons stated above, claims 18-26 and 29-38 are now in condition for allowance. Applicants respectfully request withdrawal of the pending rejections and allowance of the claims. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned to resolve the same. It is believed that no fee is due, however, the Commissioner is hereby authorized to charge any amount required to Deposit Account No. 19-2112 referencing attorney docket no. MFCP.112965.

Respectfully submitted,

/MONPLAISIR G. HAMILTON/

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